

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION**

TYLER TECHNOLOGIES, INC.,

Plaintiff,

V.

Case No. 4:20-cv-00173-TWP-DML

LEXUR ENTERPRISES INC., ROBERT FRY,
JIMMY DAVIS, JOE THORNSBERRY,
AND JOHN DOES 1-100

Defendants.

DEFENDANT LEXUR ENTERPRISES INC.'S MOTION TO DISMISS

Defendant Lexur Enterprises, Inc. (“Lexur”), by counsel, pursuant to Federal Rule of Civil Procedure 12(b)(6), respectfully requests that the Court dismiss Plaintiff Tyler Technologies, Inc.’s (“Tyler”) claims against it. In support of this Motion, Lexur states:

1. On or about August 10, 2020, Plaintiff Tyler Technologies, Inc. (“Tyler”) filed its Complaint. Plaintiff’s Complaint consists of five counts against Lexur: (1) violation of Section 1 of the Sherman Antitrust Act; (2) violation of the Indiana Antitrust Act; (3) tortious interference with contract; (4) tortious interference with business relationships; and (5) civil conspiracy.

2. Plaintiff's Complaint fails to state a claim for relief against Lexur pursuant to Federal Rule of Civil Procedure 12(b)(6).

3. Lexur hereby incorporates by reference as if fully restated herein its Brief in Support of Lexur's Motion to Dismiss Plaintiff's Complaint, filed contemporaneously with this Motion.

WHEREFORE, Defendant Lexur Enterprises, Inc. respectfully requests that the Court enter an Order dismissing Plaintiff's Complaint for all counts against Lexur Enterprises, Inc. with prejudice and for all other just and proper relief.

Respectfully Submitted,

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/s/A. Richard M. Blaiklock

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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2020, a copy of the foregoing was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

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